

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

David J. DiNunzio,

Petitioner,

v.

Brian Williams, et al.,

Respondent.

Case No.: 2:21-cv-00995-APG-NJK

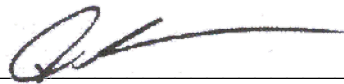
Order

Before me in this habeas proceeding under 28 U.S.C. § 2254 is the third motion for appointment of counsel filed by the petitioner, David J. DiNunzio. ECF No. 23. I recognize that DiNunzio, like most habeas petitioners, lacks legal training and resources, but his filings indicate that he has a sufficient grasp of his case and the legal issues involved, and that he is able to articulate his grounds for relief. *See LaMere v. Risley*, 827 F.2d 622, 626 (9th Cir. 1987) (affirming district court's denial of request for appointment of counsel, where pleadings demonstrated petitioner had "a good understanding of the issues and the ability to present forcefully and coherently his contentions"). And, to the extent COVID-19 impacts DiNunzio's ability to litigate this case, I will allow additional time, as necessary, for him to comply with filing deadlines. In summary, his renewed motion for appointment of counsel does not provide grounds for me to alter my prior decisions.

I THEREFORE ORDER that the DiNunzio's motion for appointment of counsel (ECF No. 23) is DENIED.

1 I FURTHER ORDER that DiNunzio's motion for extension of time (ECF No. 22) is
2 GRANTED. DiNunzio's response to respondents' motion to dismiss (ECF No. 19) is extended to
3 **May 3, 2022**. In all other respects, the schedule in my order of June 4, 2021, (ECF No. 7)
4 continues to govern this proceeding.

5 Dated: February 3, 2022

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8 U.S. District Judge Andrew P. Gordon
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